

AB 1482 Statewide Legislation (Effective January 1, 2020)



Reminder...

City Staff is not able to offer legal advice.

But...

We can offer tips, best practices, and an overview of City actions regarding the CSFRA and AB 1482



New State Law: AB 1482

- Basics
- Rent Caps
- Just Cause Protections
- Rent Rollbacks



AB 1482 Basics

What is AB 1482?

AB 1482 is a statewide law that protects tenants by

- Limiting the amount a landlord can increase rent
- Requiring a just cause if a landlord wants to evict a tenant

Does AB 1482 apply to CSFRA Covered Units?

NO, the CSFRA (Mountain View's local rent stabilization law) is more protective and takes precedence over AB 1482.

If your rental unit is covered by Mountain View's rent stabilization law, AB 1482 DOES NOT APPLY

Who is covered by AB 1482?

- Rental properties built between 1995 and 2004
- Duplexes built before 2004 if the owner does not live in the duplex
- Single family homes built before 2004 if a corporation owns the home

What Units are Exempt from AB 1482?

- Covered by local rent stabilization and/or local just cause
- Built within last 15 years
- Hotels, hostels, short stay housing, lodgers
- Non-profit hospital, religious, extended care, elderly care facilities
- Student dormitories
- Affordable Housing (subsidized, HUD, deed restricted)
- Duplex where landlord lives on property
- Single-Family Homes/Condos with no corporate ownership
 - Covered if owned by corporation, REIT, LLC with corporate member
 - Covered if failure to provide required notice



What Annual Rent Increases are Allowed?

For AB 1482 covered rental units in Mountain View that are NOT COVERED by the CSFRA

- Rent increases are limited annually to 5% plus CPI.
- In Santa Clara County that would amount to 8.3% for 2020

2020 =

8.3%

AB 1482: Caps on Rent Increases

Frequency	Maximum of two in any twelve month period
Amount per year	Percent change in CPI + 5% or 10% whichever is lower (2020 = 8.3%)
Sublease	Master tenant cannot sublease premises at higher rate than allowable rent charged by landlord



AB 1482 Just Cause Protections

AB 1482: When is Just Cause Applicable?

- Applicable after 12 months of tenancy
 - If new tenant added to lease within 24 months, then applicable if:
 - <u>all</u> tenants have resided in property for 12 months; or
 - one tenant has resided in property for 24 months
- Excludes units covered by local regulation (i.e. CSFRA)

AB 1482 – Just Cause Protections

<u>Tenant At Fault</u>		<u>Tenant No Fault</u>	
A. Failure to pay rent	G. Lease violation re: subletting	A. Owner Occupancy (includes certain family members)	
B. Breach of material lease term	H. Refusal to allow landlord entry	B. Ellis Act withdrawal from rental market	
C. Nuisance	I. Certain drug-, gun-, other crimes	C. Government orders to vacate (e.g. habitability issues)	
D. Property damage	J. Employee termination from employee housing		
E. Refusal to renew same lease terms	K. Failure to move after	D. Demolition or substantial remodel	
F. Criminal Activity	tenant gives notice	remodel	

AB 1482: Tenant Relocation Assistance

- Mandatory relocation assistance required for "No Fault" evictions
 - One month's rent
- Landlord to pay within 15 days of notice of termination
- If agreed by parties, final month's rent can be waived instead



AB 1482 Rent Rollback

AB 1482: Rent Increase Rollback

If any rent increase between

March 15, 2019 – January 1, 2020

was above the allowable amount (8.3%)

The landlord must decrease the rent on January 1, 2020, to the previous rent amount plus allowable increase of 8.3%

AB 1482: Rent Increase Rollback

Example:

Tenant received rent increase of 10% on May 1, 2019.

This is above the allowable amount of 8.3%

The landlord must decrease the rent on January 1, 2020, to previous rent amount plus allowable increase of 8.3%

AB 1482: Rent Increase Rollback

In Units covered by AB 1482:

The landlord does not have to repay the rent paid above the allowable increase between March 15, 2019 and January 1, 2020.



AB 1482 Noticing and Enforcement

AB 1482: Noticing Requirements

- Written notice that rental unit is covered by just cause and rent cap
- Written notice that rental unit is NOT under corporate ownership and therefore exempt (single family/condo)
- After July 1, 2020 required notice must be addendum to lease or a written notice signed by tenant (provide copy to tenant)
- For leases prior to July 1, 2020, required notice must be provided no later than August 1, 2020

AB 1482: Enforcement

No enforcement provisions in AB1482

Rent Cap

?

Just Cause

Affirmative defense in UD action?

AB 1482 in Mountain View (Apartments)

Multi Family Units	Built before 2/1/1995	Built between 2/1/1995- 12/23/2016	Less than 15 years old
Rent Cap	CSFRA	AB1482	Exempt
Multi Family Units	Built before 12/23/2016	Built after 12/23/2016	
Just Cause	CSRFRA	Exempt	

AB 1482 in Mountain View (Duplexes)

Duplexes	•	Less than 15 years old or owner occupied for entire tenancy
Rent Cap	AB1482	Exempt
Just Cause	AB1482	Exempt

AB 1482 in Mountain View

Single Family Homes	Houses more than 15 years old; Owned by Corp., REIT, some LLCs; Failure to notify tenants of exemption	Houses less than 15 years old; Not owned by Corp., REIT, some LLCs; Special notice to tenants required
Rent Cap	AB1482	Exempt
Just Cause	AB1482	Exempt



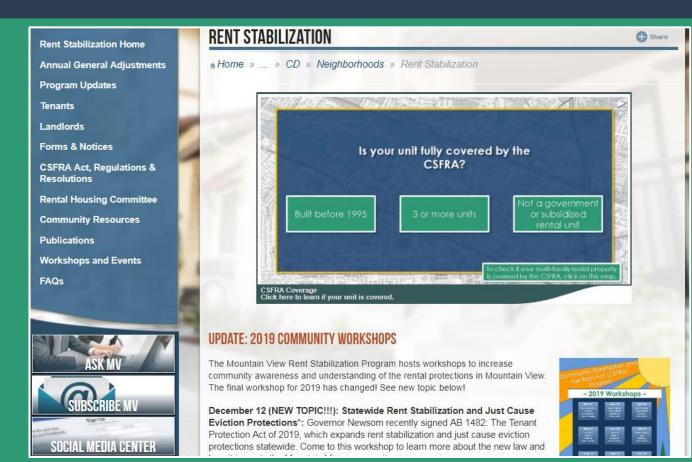
Resources

Available for the Mountain View Community

Website

- Brochures
- Mountain View Rental Housing Helpline
 - Petition Clinics
- Educational Workshops
- Mountain View Mediation Program
- Legal Resources

Website



Resources

Program Brochure





Resources

Rental Housing Helpline

Contact Information

Phone: (650) 282-2514

Email: csfra@housing.org

Mountainview.gov/rentstabilization

Walk-in Office Hours

Thursdays
12:00 p.m. to 2:00 p.m.
City Hall, 1st Floor
Public Works Front Conference
Room

(habla español)

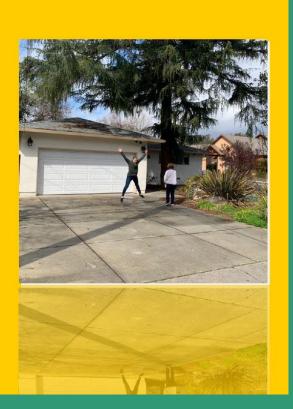
Petition Clinics

We've Moved!

Petition Clinics now held at our new office!

298 Escuela Ave. Mountain View, CA

1st and 3rd Friday of the Month!



Workshops

January 16, 2020

Property Owner Registration and Annual Fee (Landlord Focused)

Mountain View City Hall | 500 Castro Street Plaza Conference Room | 2nd Floor 6:30 p.m. February 20, 2020

Reasonable Accommodations and ADA Compliance (Open to all)

Mountain View Community Center | 201 S Rengstorff Ave Maple Room 6:30 p.m.

Consider Mediation: MV Mediation Program



- Free!
- Mediated discussion
- Confidential
- High success rate

Resources

Legal Resources

Santa Clara County Bar Association Lawyer Referral Service	(408) 971-6822 www.sccba.com
Law Foundation Silicon Valley (Volunteer Eviction Assistance Collaborative)	(408) 280-2424 https://www.lawfoundation.org/
Community Legal Service EPA	(650) 391-0354 http://www.clsepa.org/
Bay Area Legal Aid	(408) 850-7066 https://baylegal.org/get-help/
Asian Law Alliance:	(408) 287-9710 http://asianlawalliance.org/
California Dept. of Consumer Affairs Landlord-Tenant Handbook:	http://www.dca.ca.gov/publications/landlordbook/index.shtml
Superior Court Self-Help Center	(408) 882-2926 http://www.scscourt.org/self_help/civil/ud/ud_resources .shtml
Nolo Publishing Company (Landlord – Tenant)	https://store.nolo.com/products/landlord-tenant



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